

AUSA: Regina McCullough Phone Number: (313) 226-9618

WT
United States District Court

Eastern Judicial District of Michigan

JUN 04 2008

United States of America

v.

Darius Marcel MILLER
8508 Penrod St., Detroit, MI
(Name and Address of Defendant)

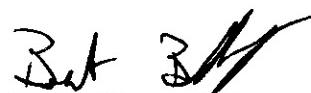
CLERK'S OFFICE
DETROIT

CRIMINAL COMPLAINT

CASE NUMBER: 08-30257

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 28th, 2008 in Wayne County, in the Eastern Judicial District of Michigan, defendant(s) did, (Track Statutory Language of Offense). distribute a controlled substance to wit, cocaine base, in violation of Title 21 United States Code, Section 841(a)(1). I further state that I am a Special Agent for the Bureau of ATF, and that this complaint is based on the following facts on the attached affidavit.

Continued on the attached sheet and made a part hereof: Yes X No



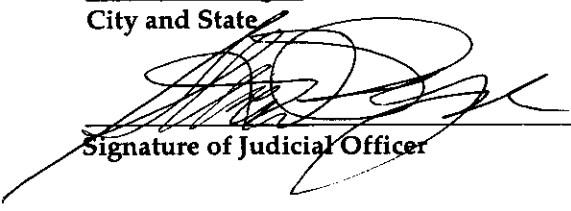
Signature of Complainant
Brent W. Bollenberg
Special Agent

Sworn to before me and subscribed in my presence,

June 4 2008 _____ at _____
Date

United States Magistrate Judge
Honorable Steven D. Pepe
Name & Title of Judicial Officer

Detroit, Michigan
City and State



Signature of Judicial Officer

I, Special Agent Brent W. Bollenberg, being duly sworn, depose and state the following:

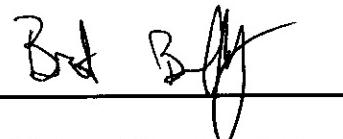
1. I make this affidavit from personal knowledge based on my participation in this investigation, including reports by myself and/or other law enforcement agents, communication with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.
2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), the U.S. Justice Department, and have been so employed since September 2005. I am currently assigned to the Detroit, Michigan Field Division, Team 2. I am charged with investigating violations of the federal arson, explosives, and firearms laws. I have successfully completed the Criminal Investigation Training Program (CITP), which is a 12 week full-time program held at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. I have also completed the Special Agent Basic Training (SABT) program, which is a 14 week full-time program held at FLETC. In addition, I have received a Bachelor of Science Degree in Law Enforcement and Justice Administration from Western Illinois University, Macomb, IL.
3. I am currently conducting an investigation involving narcotics violations by Darius Marcel MILLER. Specifically, violations of Title 21, U.S.C., Section 841(a)(1)- Distribution of Controlled Substances.
4. On May 20th, 2008, while acting in an undercover capacity, I purchased approximately 4 gross grams of suspected crack cocaine from Darius Marcel MILLER, aka "D" or

“D’Bo”. This purchase occurred in front of the residence located at 9574 Mansfield, Detroit, MI. I later field tested the suspected crack cocaine with a positive result for Cocaine Base. Darius MILLER is described as a black male, 25 years of age, and is confined to a wheel chair.

5. On May 21st, 2008, while acting in an undercover capacity, I went to 9574 Mansfield, Detroit, MI and purchased a quantity of suspected “Crack” Cocaine from Darius MILLER in exchange for pre-recorded Government Funds. During the transaction, I observed MILLER aka “D” exit the residence being pushed in his wheelchair by an unknown black male approximately 15 years of age wearing an orange t-shirt and jeans. After I purchased the narcotics, I requested another quantity of “Crack” Cocaine, which MILLER stated to wait. MILLER was then pushed back to 9574 Mansfield and waited in the driveway while the aforementioned young male entered this residence, stayed for a minute or two and then exited the residence. The unidentified young male then returned to the undercover vehicle and provided myself with a plastic wrap containing suspected crack cocaine. The total purchased weight was approximately 8.3 gross grams. Upon returning to the office, I field tested the suspected narcotics with a positive result for Cocaine Base.
6. On May 28th, 2008, while acting in an undercover capacity, I went to The Sea-Way Grocery Store located on W. Chicago and the Southfield Freeway in the City of Detroit, MI, and purchased a quantity of “Crack” Cocaine from Darius MILLER in exchange for pre-recorded Government Funds. During the transaction, I observed MILLER aka “D” approach as the rear passenger in a Black Mercedes R350 SUV bearing the license plate BXC 7630. MILLER pulled alongside the undercover vehicle and provided myself with a

plastic wrap of suspected "Crack" Cocaine. The total purchased weight was approximately 3 gross grams. Upon returning to the office, I field tested the suspected narcotics with a positive result for Cocaine Base.

7. Based on the aforementioned facts, I have probable cause to believe that, in the Eastern District of Michigan, Darius Marcel MILLER, aka "D" aka "D'Bo", did distribute a controlled substance to wit, cocaine base, to an undercover ATF Agent in violation of Title 21, U.S.C., Section 841(a)(1)



Special Agent Brent W. Bollenberg

Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn and subscribed before me on this 4th day of June, 2008.



The HONORABLE STEVEN D. PEPE
UNITED STATES MAGISTRATE